

10400 Eaton Place  
Suite 312  
FAIRFAX, VA  
Phone: (703) 385-5200  
Fax: (703) 385-5080

**KEATING & BENNETT LLP**

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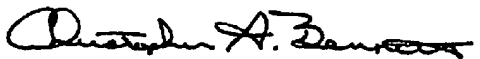
**Fax****OFFICIAL****To:** Mail Stop Issue Fee**From:** Christopher A. Bennett**Fax:** 703-872-9306**Date:** August 18, 2004**Phone:****Pages:** 7**Re:** 09/883,481**CC:**

36856.493

**•Comments:**

Please find attached hereto a Petition to Withdraw Holding of Abandonment under 37 CFR §1.181.

Respectfully submitted,



Christopher A. Bennett  
for  
Keating & Bennett, LLP  
(Registration Number 46,710)

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**Certificate of Facsimile**

I hereby certify that this correspondence is being transmitted via facsimile to Group Art Unit 2817, 703-872-9308, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: August 18, 2004

Sonia V. McVean  
Sonia V. McVean

PATENT  
36856.493

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yuichi TAKAMINE et al.	Art Unit: 2817
Serial No.: 09/883,481	
Filed: June 18, 2001	Examiner: B. Summons
Title: SURFACE ACOUSTIC WAVE DEVICE	

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR §1.181**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to timely pay the required issue fee and publication fee within the statutory period of three months from the mailing date of the Notice of Allowance dated December 12, 2003.

Applicants contend that the above-identified application is NOT abandoned and file herewith a Petition to Withdraw Holding of Abandonment under 37 CFR §1.181 as Applicants timely filed on February 11, 2004 the following documents:

1. The Issue Fee transmittal ;
2. A credit card form in the amount of \$1,630.00; and
3. A postcard.

Serial No. 09/883,481  
August 18, 2004  
Page 2 of 2

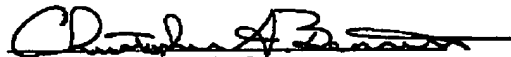
Applicants enclose a copy of the three documents listed above and in addition, as Prima Facie Evidence, Applicants also enclose a copy of the returned postcard which was stamped by the U.S. Patent Office on February 13, 2004.

Accordingly, Applicants respectfully request that the Petition to Withdraw Holding of Abandonment under 37 CFR §1.181 be entered and that the Notice of Abandonment dated August 13, 2004 be withdrawn.

The Commissioner is authorized to charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment, to deposit Account No. 50-1353.

Respectfully submitted,

Date: August 18, 2004

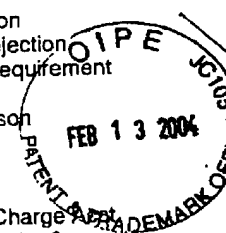


Christopher A. Bennett  
Attorney for Applicants  
Registration No. 46,710

**Keating & Bennett, LLP**  
**10400 Eaton Place**  
**Suite 312**  
**Fairfax, VA 22030**  
**Telephone: (703) 385-5200**  
**Facsimile: (703) 385-5080**

Serial No. 09/883,481 Attorney: IRK Mailing Date Feb 17, 2004  
Client MURATA Our Ref. No. 36856-493  
Title Surface Acoustic Wave Device  
Applicant(s): YUICHI TAKAHASHI et al.  
The following, due                      in the U.S. Patent & Trademark Office, was received in  
the U.S. Patent & Trademark Office Mail Room on the date stamped hereon:

<input type="checkbox"/> Patent Application, Including:	<input type="checkbox"/> Amendment
<input type="checkbox"/> Pages of Specification, including:	<input type="checkbox"/> Request for Reconsideration
<input type="checkbox"/> Claims and Abstract	<input type="checkbox"/> Amendment After Final Rejection
<input type="checkbox"/> Drawings <u>        </u> Sheet(s)	<input type="checkbox"/> Response to Restriction Requirement
<input type="checkbox"/> Combined Decl./Power of Atty.	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Transmittal Letter	<input type="checkbox"/> Letter to Official Draftsperson
<input type="checkbox"/> Associate Power of Attorney	<input checked="" type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Assignment with PTO 1595	<input type="checkbox"/> Change of Address
<input type="checkbox"/> Small Entity Status Form	<input type="checkbox"/> Response to NTFMP
<input type="checkbox"/> Priority Document(s)	<input type="checkbox"/> General Authorization to Charge App.
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Charge Acct. Authorization for \$ <u>                </u>
<input type="checkbox"/> Preliminary Amendment	<input checked="" type="checkbox"/> Credit Card Payment Form for \$ <u>1632.00</u>
<input type="checkbox"/> IDS w/ Form PTO 1449 w/	<input type="checkbox"/> Credit Card Payment Form for \$ <u>                </u>
<input type="checkbox"/> <u>        </u> cited references	<input type="checkbox"/> Check No. <u>                </u> for \$ <u>                </u>
<input type="checkbox"/> Request for Continued Examination	<input type="checkbox"/> Check No. <u>                </u> for \$ <u>                </u>
<input type="checkbox"/> Request for App. of Drwg. Corrections	
<input type="checkbox"/> VIA HAND DELIVERY	
<input checked="" type="checkbox"/> CERTIFICATE OF MAILING	
<input type="checkbox"/> EXPRESS MAIL NUMBER: <u>                                </u>	



Serial No. 09/883, 481 Attorney: JRK Mailing Date Feb 11, 2004  
Client MURATA Our Ref. No. 36856-493  
Title Surface Acoustic Wave Device  
Applicant(s): YUICHI TAKAHASHI et al.  
The following, due in the U.S. Patent & Trademark Office, was received in  
the U.S. Patent & Trademark Office Mail Room on the date stamped hereon:  

<input type="checkbox"/> Patent Application, Including:	<input type="checkbox"/> Amendment
<input type="checkbox"/> Pages of Specification, including:	<input type="checkbox"/> Request for Reconsideration
<input type="checkbox"/> Claims and Abstract	<input type="checkbox"/> Amendment After Final Rejection
<input type="checkbox"/> Drawings <u>Sheet(s)</u>	<input type="checkbox"/> Response to Restriction Requirement
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<input type="checkbox"/> Transmittal Letter	<input type="checkbox"/> Letter to Official Draftsperson
<input type="checkbox"/> Associate Power of Attorney	<input checked="" type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Assignment with PTO 1595	<input type="checkbox"/> Change of Address
<input type="checkbox"/> Small Entity Status Form	<input type="checkbox"/> Response to NTFMP
<input type="checkbox"/> Priority Document(s)	<input type="checkbox"/> General Authorization to Charge Acct.
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Charge Acct. Authorization for \$
<input type="checkbox"/> Preliminary Amendment	<input checked="" type="checkbox"/> Credit Card Payment Form for \$ <u>1632.00</u>
<input type="checkbox"/> IDS w/ Form PTO 1449 w/ cited references	<input type="checkbox"/> Credit Card Payment Form for \$
<input type="checkbox"/> Request for Continued Examination	<input type="checkbox"/> Check No. for \$
<input type="checkbox"/> Request for App. of Drwg. Corrections	<input type="checkbox"/> Check No. for \$
<input type="checkbox"/> VIA HAND DELIVERY	
<input checked="" type="checkbox"/> CERTIFICATE OF MAILING	
<input type="checkbox"/> EXPRESS MAIL NUMBER: _____	

## PART B - FEE(S) TRANSMITTAL

Send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**(703) 746-4000**

or **Fax**

**ACTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where applicable. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590  
 Keating & Bennett LLP  
 Suite 312  
 10400 Eaton Place  
 Fairfax, VA 22030

12/12/2003



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Sonia V. McVean (Depositor's name)  
 (Signature)  
 February 11, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,481	06/18/2001	Yuichi Takamine	36856.493	1199

TITLE OF INVENTION: SURFACE ACOUSTIC WAVE DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	03/12/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
SUMMONS, BARBARA	2817	333-193000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

KEATING &amp; BENNETT, LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.  
 (B) RESIDENCE: (CITY AND STATE OR COUNTRY)

MURATA MANUFACTURING CO., LTD. KYOTO, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee  
☐ Publication Fee  
☐ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Joseph R. Keating (Date) 02/11/2004  
 Joseph R. Keating (37,368)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

OL-85 (Rev. 10/03) Approved for use through 3/2004.

OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

08/19/2004 LWONDIM2 00000059 09883481

01 FC:1501 1330.00 DP  
 02 FC:1504 300.00 DP